

MILBURN PUBLIC SCHOOLS

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Milburn, OK 73450

Received & Inspected

APR 12 2011

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Jon Holmes, Superintendent

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Home of the Eagles!

April 11th, 2011

CC: 02-6

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
9300 East Hampton Drive
Capitol Heights, MD 20743

CC Docket #02-06 & 96-45

REQUEST FOR WAIVER & REQUEST FOR REVIEW

Milburn Public Schools (Milburn, Billed Entity Number: 139863) respectfully requests a waiver of the appeal deadline and a review of The Universal Administrative Company's (USAC) decision to rescind funding for the 2006 funding year and place the district on a "red-light" status.

We are requesting more time to file an appeal on USAC's decision to rescind funding for the following Funding Request Numbers:

471 Application Number	FRN	Funds to be Recovered
505010	1387637	\$13,006.50
505010	1387642	\$6,525
463683	1274673	\$53,100

Apparently, USAC issued Funding Commitment Adjustment Letters (COMAD Letters) for the above referenced FRNs on July 30th of 2009. The district contends that it never received these letters. The district was completely unaware of USAC's intention to recover these funds until they received USAC's demand payment letters, well after the sixty day time appeal deadline had passed.

Milburn requested copies of these COMAD letters after receiving the demand payment letters from USAC. The letters were addressed to Mrs. Baxter, and had the correct address listed on the letter. Mrs. Baxter regularly receives mail at the school address in her capacity as technology director. Mrs. Baxter has received other correspondence from USAC at this address related to the E-rate process, including the demand payment letters.

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It is beyond our understanding why USAC would send out a time-sensitive letter that requires action on the part of the recipient in order to avoid payment of \$72,631.50 **without proof that the letter was received**. Common sense and standard business practices would seem to dictate that USAC should have required a return-receipt signature for such a letter.

We are asking for additional time to submit our appeal. We just received our first copy of the Commitment Adjustment Letter on Friday, April 8th, 2011. Within the following two weeks, we will file our formal appeal.

Thank you for your consideration.

A handwritten signature in dark ink, appearing to read "Jon Holmes", with a long, sweeping horizontal stroke extending to the right.

Jon Holmes
Superintendent
Milburn Public Schools